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08/994,363	12/19/1997	DAVID LEE GARRISON	1158.41555X00	6534

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EXAMINER

RIMELL, SAMUEL G

ART UNIT PAPER NUMBER

2175

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 08/994,363	<b>Applicant(s)</b> GARRISON ET AL.	
	<b>Examiner</b> Sam Rimell	<b>Art Unit</b> 2175	
	-- <b>Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --</b>		

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☐ Responsive to communication(s) filed on \_\_\_\_.

2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-24 is/are pending in the application.

    4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-3, 5-8, 10-24 is/are rejected.

7) ☒ Claim(s) 4 and 9 is/are objected to.

8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All    b) ☐ Some    c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_

4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-8, 10-13, 15-18 and 20-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Kolling et al. (U.S. Patent 5,920,847).

Claim 1: Col. 15, lines 55-60 of Kolling et al. describe the creation of a payor (consumer) request to make a payment to a payee (biller). The request is the bill pay order (122). As seen in FIG. 4, the payment request is processed and passes through a plurality of remittance centers (Bank C and Bank B). The payor request includes a payor account number (The BRN---a biller reference number placed by the biller on the consumer's bill). The payor request is received at a Bank C (as seen in FIG. 4) and then processed by a payment network (102) which utilizes a database (108) to identify and select a specific remittance center (Bank B) to direct the consumer's funds (col. 16, lines 43-50; and col. 17, lines 15-24).

Claim 2: The account number (BRN) is processed by using a look-up table at the payment network to identify a single remittance center (Bank) to which the funds are supposed to be directed.

Claim 3: The account number (BRN) is described as being formed by numerical digits (col. 15, line 43). Numeric digits are a type of alphanumeric character, and read on the requirement for alphanumeric characters. Also note that Kolling et al. allows for "non-numeric BRN's" (col. 15, line 44), further suggesting the presence of alphanumeric characters.

Claim 5: Col. 17, lines 15-24 and col. 18, lines 59-63 describe a process in which the account number (BRN) is altered by adding additional information to the account number in a payment message. In particular, the account number (BRN) is altered by referencing a database (108) and obtaining a Bank ID for Bank B. The bank ID is then added to the account number in a payment message directed to the biller's (payee's) bank. The alteration rule is the Bank ID which must be added to the account number in order to create the payment message (124).

Claim 6: See remarks for claim 1. The communicative interface configured to receive the payor request is the Bank C in FIG. 4. The processor configured to process the account number is the payment network (102).

Claim 7: See remarks for claim 2.

Claim 8: See remarks for claim 3.

Claim 10: Col. 17, lines 15-24 and col. 18, lines 59-63 describe a modification process performed by a modification unit in which the account number (BRN) is altered at payment network (102) by adding a Bank ID so as to create a payment message. Once the payment message is created, a verification process can be performed (col. 16, lines 29-32) on the message to assure its validity before the message gets passed on to a particular remittance center (Bank B).

Claim 11: See remarks for claim 1. Note that the process is carried out by a programmed computer system.

Claim 12: See remarks for claim 2.

Claim 13: See remarks for claim 3.

Claim 15: See remarks for claim 5.

Claim 16: FIG. 4 illustrates a communications network. A first network station (consumer C) generates a payor's payment information (bill order 122). This order includes (see col. 15, lines 55-60) at least an account number (BRN), payee name (an authorization to pay a specifically identified biller having the BRN) and address data prepared by the payor (the customer's account number). The payor's payment information is communicated to the network. A second network station (102) receives a payment message (124) containing the payor's payment information and processes the account number by looking up an identification of Bank B, which is one of the plurality of remittance centers in the system. A payment message then gets directed to Bank B.

Claim 17: The account number (BRN) is used as a key to lookup the identification of the remittance center used by the biller. Since the BRN can be directly correlated to the desired remittance center (Bank B), any information within the BRN reads as a characteristic that identifies the desired remittance center (Bank B).

Claim 18: See remarks for claim 3.

Claim 20: See remarks for claim 5.

Claims 21-24: As seen in FIG. 4, the payment is ultimately directed to remittance center identified as "Bank B". However, the payment messages pass through other remittance centers enroute, including Bank C and the payment network (102).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolling et al.

Claims 14 and 19: With respect to each of claims 14 and 19, Kolling et al. discloses a BRN, which corresponds to the claimed "account number". Col. 15, lines 39-45 of Kolling et al. describe the BRN as having "n-number" of digits, where each digit can range between 0-9. Although Kolling et al. does not specifically call out the usage of 11 digits for the BRN, forming the BRN as 11 digits instead of 9 would have been obvious to one of ordinary skill in the art as a specific choice of design, particularly since Kolling et al. allows the BRN to be any length.

Accordingly, as applied to claims 14 and 19, the step creating payment messages (124) containing the BRN would read as the step of "processing the information" to produce a message having the 11 digit code. The particular entity which creates the payment message thus reads as the "mapping unit". This payment message is then sent to the payment network (102) where the code is used to access the database (108) which can then identify a specific biller based on the code. The entity which performs this database access (typically, it would be the network 102) would be the "retrieval unit".

Claims 4 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### Remarks

Applicant's arguments have been considered.

Applicant's arguments pertain to Examiner's interpretation that the BRN in Kolling et al. corresponds to a payor account with the payee. Applicant argues that the C-B account number in

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Kolling correlates to this feature, and that the C-B account number is not processed to identify a remittance center.

Examiner maintains that the BRN is readable as account number of the payor with the payee. Col. 15, line 47 states that the BRN appears on the bill provided to the consumer, and col. 15, line 55, states that the BRN appears on the bill pay order. The BRN is thus an identifier used by the payor to identify the payee. It is thus readable as a payor account number with the payee. The BRN is further used as a database key locate information so as to direct the payment message to the payee's bank (col. 17, lines 15-23). Thus, the BRN is processed so as to identify a remittance center associated with the payee.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.

A handwritten signature in black ink, appearing to read 'S. Rimell', is positioned above the printed name.

Sam Rimell  
Primary Examiner  
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